

DEC 26 2006

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**SCULLY, SCOTT, MURPHY  
& PRESSER, P.C.**

# Fax

<b>To:</b> Examiner John P. Leubecker Art Unit: 3739	<b>From:</b> Thomas Spinelli, Esq. Registration No.: 39,533
<b>Fax:</b> 571-273-8300	<b>Pages:</b> 16
<b>Phone:</b> 571-272-6087	<b>Date:</b> December 26, 2006
<b>Re:</b> USSN: 10/799,796 Our Docket: 17534	<b>CC:</b>

## RESPONSE

### TRANSMITTED HEREWITH:

1. Amendment Transmittal Letter (in duplicate);
2. Response under 37 C.F.R. §1.111; and
3. Certificate of Facsimile Transmission, dated December 26, 2006 (in duplicate).

### FOR:

Applicants:  
Serial No.: 10/799,796  
For: CAPSULE ENDOSCOPE  
Filed: March 12, 2004  
Docket: 17534  
Dated: December 26, 2006

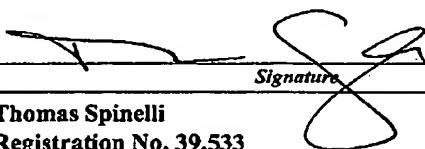
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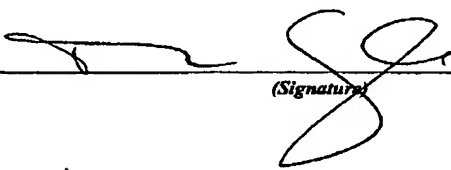
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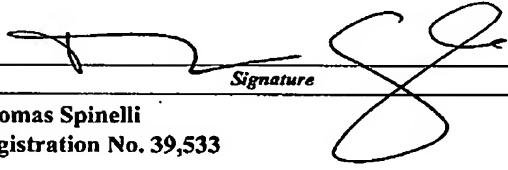
<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					Docket No. <b>17534</b>	
Applicant(s): <b>Hiroshi Suzushima</b>						
Application No. <b>10/799,796</b>	Filing Date <b>March 12, 2004</b>	Examiner <b>John P. Leubecker</b>	Customer No. <b>23389</b>	Group Art Unit <b>3739</b>	Confirmation No. <b>1862</b>	
Invention: <b>CAPSULE ENDOSCOPE</b>						
<b>COMMISSIONER FOR PATENTS:</b>						
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	8 -	20 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	2 -	3 =	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>19-1013/SSMP</b> <input type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>						
 Signature <b>Thomas Spinelli</b> Registration No. 39,533  <b>Scully, Scott, Murphy &amp; Presser, P.C.</b> 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-434			Dated: <b>December 26, 2006</b>			
CC:			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence			

P11LARGEREV10

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			<b>Docket No.</b> 17534
Applicant(s): <b>Hiroshi Suzushima</b>			
<b>Application No.</b> 10/799,796	<b>Filing Date</b> March 12, 2004	<b>Examiner</b> John P. Leubecker	<b>Group Art Unit</b> 3739
Invention: <b>CAPSULE ENDOSCOPE</b>			
<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> <b>DEC 26 2006</b>			
I hereby certify that this <u>                    <b>RESPONSE UNDER 37 C.F.R. §1.111</b>                    </u> <i>(Identify type of correspondence)</i>			
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>          <b>(571) 273-8300</b>          </u> )			
on <u>          <b>December 26, 2006</b>          </u> <i>(Date)</i>			
<u>                    <b>Thomas Spinelli</b>                    </u> <i>(Typed or Printed Name of Person Signing Certificate)</i>			
 <i>(Signature)</i>			
Note: Each paper must have its own certificate of mailing.			

P18/REV02

DEC 26 2006

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					<b>Docket No.</b> 17534									
Applicant(s): <b>Hiroshi Suzushima</b>														
Application No. <b>10/799,796</b>	Filing Date <b>March 12, 2004</b>	Examiner <b>John P. Leubecker</b>	Customer No. <b>23389</b>	Group Art Unit <b>3739</b>	Confirmation No. <b>1862</b>									
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Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00									
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>									
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>19-1013/SSMP</b> <input type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>														
 Signature			Dated: <b>December 26, 2006</b>											
<b>Thomas Spinelli</b> Registration No. 39,533  <b>Scully, Scott, Murphy &amp; Presser, P.C.</b> 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-434			<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="2">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</td> </tr> <tr> <td colspan="2" style="text-align: center;">(Date)</td> </tr> <tr> <td colspan="2" style="text-align: center;">_____ Signature of Person Mailing Correspondence</td> </tr> <tr> <td colspan="2" style="text-align: center;">_____ Typed or Printed Name of Person Mailing Correspondence</td> </tr> </table>				I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____		(Date)		_____ Signature of Person Mailing Correspondence		_____ Typed or Printed Name of Person Mailing Correspondence	
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P11LARGE/REV10

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<b>Applicant:</b>	Hiroshi Suzushima	<b>Examiner:</b>	John P. Leubecker
<b>Serial No:</b>	10/799,796	<b>Art Unit:</b>	3739
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<b>Conf. No.:</b>	1862		

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**RESPONSE**

Sir:

In response to the Official Action dated September 26, 2006, Applicant respectfully requests reconsideration of the above-identified application in light of the following amendments and remarks:

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**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date set forth below.

Dated: December 26, 2006

  
Thomas Spinel

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